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3 Eastern District of Washington  
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9 UNITED STATES DISTRICT COURT  
10 FOR THE EASTERN DISTRICT OF WASHINGTON

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 LUIS MANUEL FARIAS-CARDENAS,  
15 JOSHUA ISAAC STINE (a/k/a “Heat”),  
16 PATRICK ELLIOTT PEARSON,  
17 CRISTIAN MISAEL GOMEZ (a/k/a :Flako”),  
18 LUIS MANUEL RAMIREZ (a/k/a “Sin”),  
19 ZACARIAS MARTINEZ-GARZA (a/k/a  
20 “Listo”),  
21 MARIANO RUIZ-BALDERAS (a/k/a  
22 “Felix”)  
23 JESSE LEON MANION, JR.,  
24 HEATHER ELAINE KEATING,  
25 LEONEL CABALLERO,  
26 FORREST WALKER HERZOG,  
27 AMY JO DYGERT,  
28 RANDALL CURTIS GROSS,  
MICHAEL EDWARD MCLAUGHLIN, and  
JESUS VALENICA-MORFIN

Defendants.

2:19-CR-00111-WFN

MOTION TO DECLARE THE  
CASE COMPLEX AND FOR  
APPOINTMENT OF A  
DISCOVERY COORDINATOR

Without Oral Argument 8/5/19 @  
6:30 pm

1 Plaintiff, United States of America, by and through William D. Hyslop, United  
2 States Attorney for the Eastern District of Washington, and Caitlin Baunsgard,  
3 Assistant United States Attorney for the Eastern District of Washington, respectfully  
4 submits the following Motion to Declare Case Complex and Motion to Appoint  
5 Discovery Coordinator.

6 The United States submits this case has just begun its judicial phase, with a  
7 majority of the named defendants just being arrested on July 16, 2019; however, in an  
8 effort to move this case forward in a timely manner, the United States submits the  
9 following Motions to the Court for consideration.

10 **A. MOTION TO DECLARE CASE COMPLEX**

11 The United States moves the Court to declare this case complex under the  
12 provisions of the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(7)(B)(ii). This provision  
13 basically provides that time is excluded under the Speedy Trial Act where the ends of  
14 justice so dictate based on the case complexity:

15 [w]hether the case is so unusual or so complex, due to the  
16 number of defendants, the nature of the prosecution, or the  
17 existence of novel questions of fact or law, that it is  
18 unreasonable to expect adequate preparation for pretrial  
proceedings or for the trial itself within the time limits  
established by this section.

19 18 U.S.C. § 3161(h)(7)(B)(ii).

20 In support of this request, the United States submits this is a complex multiple-  
21 defendant case with voluminous discovery. To date, this case involves 14 charged  
22 Defendants. The United States intends to supersede with additional substantive  
23 counts as to those already-charged Defendants and may seek charges against  
24 additional Defendants. Additionally, there is voluminous discovery in this case. This  
25 was a long-term, multi-jurisdictional investigation which involved complex Court-  
26 authorized electronic evidence collection techniques. There were also multiple  
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1 surveillance cameras in use during this investigation that captured many hours of  
2 recorded surveillance at each location. Accordingly, the United States expects  
3 numerous issues are likely to arise in this case based on the complex Court-authorized  
4 electronic evidence collection techniques involved in the investigation. The United  
5 States also anticipates motions regarding the identity of the multiple cooperating  
6 witnesses, motions to suppress search warrants and other Court-authorized warrants,  
7 and motions regarding other issues. Finally, the United States also anticipates defense  
8 counsel, using all due diligence, would not be able to review the massive amount of  
9 discovery in this case within the confines of the 70-day window required by the  
10 Speedy Trial Act. *See generally* 18 U.S.C. § 3161(c)(1).

11 The United States has spoken to counsel for the lead Defendant, Luis Manuel  
12 FARIAS-Cardenas, Steve Hormel, and he advised he has no objection to this Motion.

13 **B. MOTION FOR APPOINTMENT OF A DISCOVERY COORDINATOR**

14 As noted above, the United States anticipates there will be a massive amount  
15 of discovery in this case, to include, among other things, a large amount of reports  
16 from multiple law enforcement entities, numerous communications in both English  
17 and Spanish as well as associated transcripts, a large amount of surveillance camera  
18 video recordings, tracker data, phone location data, and forensic examinations of  
19 multiple cellular phones. Accordingly, the United States submits, consistent with  
20 other similar cases prosecuted in this District, a discovery coordinator would be  
21 greatly beneficial to all parties and promote efficient use of resources on all sides.

22 The United States has spoken to counsel for the lead Defendant, Luis Manuel  
23 FARIAS-Cardenas, Steve Hormel, and he advised he has no objection to this Motion.  
24 Additionally, Mr. Hormel advised that he would pursue an estimate from a discovery  
25 coordinator, Behind the Gavel, and provide that estimate to the Court on an *ex parte*  
26 basis. While the United States has no opinion or preference for a particular discovery  
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1 coordinator, the United States does not that many of the defense counsel involved in  
2 this case are familiar with Behind the Gavel.

3 Respectfully submitted, July 29, 2019.

4 William D. Hyslop  
5 United States Attorney

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7 s/ Caitlin Baungard  
8 Caitlin Baungard  
9 Assistant United States Attorney  
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